

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

FILED

SEP 22 2005

CALIENT NETWORKS, INC., a  
Delaware corporation,  
Plaintiff(s),

CASE NO. C05-01946 (MHP)

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

v.

GLIMMERGLASS NETWORKS,  
INC., a Delaware corporation,  
Defendant(s).

STIPULATION AND ~~PROPOSED~~  
ORDER SELECTING ADR PROCESS

Counsel report that they have met and conferred regarding ADR and have reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

The parties agree to participate in the following ADR process:

**Court Processes:**

- ☐ Non-binding Arbitration (ADR L.R. 4)  
☐ Early Neutral Evaluation (ENE) (ADR L.R. 5)  
☐ Mediation (ADR L.R. 6)

*(Note: Parties who believe that an early settlement conference with a Magistrate Judge is appreciably more likely to meet their needs than any other form of ADR, must participate in an ADR phone conference and may not file this form. They must instead file a Notice of Need for ADR Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)*

**Private Process:**

- ☒ Private ADR (please identify process and provider) Mediation; mediator to be

chosen by agreement of the parties.

The parties agree to hold the ADR session by:

- ☐ the presumptive deadline *(The deadline is 90 days from the date of the order referring the case to an ADR process unless otherwise ordered.)*  
☒ other requested deadline 120 days

Dated: September 20, 2005

Dated: September 20, 2005

Craig Allman  
Attorney for Plaintiff  
CALIENT NETWORKS, INC.  
[Signature]  
Attorney for Defendant  
GLIMMERGLASS NETWORKS,  
INC.

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**[PROPOSED] ORDER**

Pursuant to the Stipulation above, the captioned matter is hereby referred to:

- ☐ Non-binding Arbitration
- ☐ Early Neutral Evaluation (ENE)
- ☐ Mediation
- ☒ Private ADR

Deadline for ADR session

- ☐ 90 days from the date of this order.
- ☐ other \_\_\_\_\_

IT IS SO ORDERED.

Dated: \_\_\_\_\_

9/22/05

  
UNITED STATES DISTRICT JUDGE